

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JEREMY LEVIN and DR. LUCILLE LEVIN,

Plaintiffs,

-against-

BANK OF NEW YORK, JPMORGAN
CHASE, SOCIETE GENERALE and
CITIBANK,

Defendants.
-----X

THE BANK OF NEW YORK MELLON,

Third-Party Petitioner,

-against-

_____ *et al.*

Third-Party Defendants.
-----X

**GREENBAUM AND ACOSTA JUDGMENT CREDITORS' JOINT ANSWER
TO THIRD-PARTY RESPONDENT _____ CROSSCLAIM**

Third-Party Defendants Steven M. Greenbaum (sued individually and as administrator of the estate of Judith Greenbaum), Alan D. Hayman and Shirlee Hayman (collectively, the “Greenbaum Judgment Creditors”), Carlos Acosta, Maria Acosta, Tova Ettinger, Irving Franklin (on his own behalf and as Administrator of the Estate of the late Irma Franklin), Baruch Kahane, Libby Kahane (on her own behalf and as Administratrix of the Estate of the late Meir Kahane), Ethel J. Griffin (as Administratrix of the Estate of the late Binyamin Kahane), Norman Kahane (on his own behalf and as Executor of the Estate of the late Sonia Kahane), and Ciporah Kaplan (collectively, the “Acosta Judgment Creditors”, and together with the Greenbaum Judgment Creditors, the “Greenbaum and Acosta Judgment Creditors”), by their undersigned attorneys, for

their answer to third-party defendant [REDACTED]

[REDACTED] Crossclaims Against the Settling Parties (the “Crossclaims”), allege as follows:

1. Paragraph 1 of the Crossclaims states conclusions of law as to which no response is required.

2. Paragraph 2 of the Crossclaims states conclusions of law as to which no response is required.

3. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Crossclaims.

4. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 of the Crossclaims, except aver that, at the time the wire transfers at issue were blocked, [REDACTED] was identified and listed by the United States Department of the Treasury’s Office of Foreign Assets Control (“OFAC”) as an entity owned and/or controlled by [REDACTED], which itself is owned and/or controlled by the Government of Iran, and as a proliferator of weapons of mass destruction pursuant to Executive Order 13382.

5. Admit, upon information and belief, the allegations contained in paragraph 5 of the Crossclaims.

6. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of the Crossclaims.

7. Admit, upon information and belief, the allegations contained in paragraph 7 of the Crossclaims.

8. Admit, upon information and belief, the allegations contained in paragraph 8 of the Crossclaims.

9. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 9 of the Crossclaims, except admit that at the time the wire transfers at issue were blocked, [REDACTED] was listed on OFAC's Specially Designated Nationals (SDN) list as an entity owned and/or controlled by [REDACTED] and Iran, and as a proliferator of weapons of mass destruction pursuant to Executive Order 13382.

10. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 10 of the Crossclaims.

11. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 11 of the Crossclaims.

12. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 12 of the Crossclaims.

First Crossclaim

13. No response is required of paragraph 13, which repeats and realleges paragraphs 1 through 12 of the Crossclaims.

14. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 14 of the Crossclaims.

15. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 15 of the Crossclaims.

16. Paragraph 16 of the Crossclaims states conclusions of law as to which no response is required.

17. Paragraph 17 of the Crossclaims states conclusions of law as to which no response is required.

Second Crossclaim

18. No response is required of paragraph 18, which repeats and realleges paragraphs 1 through 16 of the Crossclaims.

19. Paragraph 19 of the Crossclaims states conclusions of law as to which no response is required.

20. Paragraph 20 of the Crossclaims states conclusions of law as to which no response is required.

RESERVATION OF RIGHTS

21. The Greenbaum and Acosta Judgment Creditors reserve the right to assert any affirmative defenses, as well as any counterclaims and/or crossclaims, that may become apparent after additional discovery or otherwise.

WHEREFORE, the Greenbaum and Acosta Judgment Creditors respectfully demand judgment dismissing the Crossclaims against them and awarding the relief sought in their respective Answers to The Bank of New York Mellon's Amended and Supplemental Third-Party Complaint and Counterclaims, dated October 6, 2011.

Dated: New York, New York
December 29, 2011

STROOCK & STROOCK & LAVAN LLP

By: /s/
Curtis C. Mechling
James L. Bernard
Benjamin Weathers-Lowin
Judy Peacock Goodwin
180 Maiden Lane
New York, New York 10038
(212) 806-5400

*Attorneys for the Greenbaum and Acosta
Judgment Creditors*